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OLC 72-0357

20 March 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Mr. Dale de Haan, Counsel, Senate
Subcommittee on Refugees and Escapees

1. I called Dale de Haan today and asked if we could get a copy of Senator Kennedy's press release covering the classified GAO report on the refugee program in Laos. I did this on the pretext that Tad Szulc's column in yesterday's New York Times contained a considerable distortion of the facts as I knew them.

2. I pleaded ignorance as to the details of the AID program but told him it had been my understanding that because of the concern which Senator Kennedy expressed last year about benefit payments going to the dependents of "guerrillas" in Laos from funds budgeted for AID we were reimbursing AID for these amounts. I said I couldn't understand the apparent objection expressed in the Szulc column to giving these dependents the same kind of benefits accorded other Lao civilians merely because they were dependents of men who were fighting for their country. I said it would appear this amounted to discrimination against persons in a combatant role as opposed to those who were doing little or nothing by comparison.

3. Mr. de Haan made a statement which he repeated several times during our conversation to the effect there was no real objection to those people receiving payments but they should not get them under the economic aid program. He said several times that Senator Kennedy objected strongly to "economic aid being used as a cover for payments to guerrillas." I said he was inferring in this statement that these payments were something in the form of salary when in fact it was my understanding they were merely the same type of benefit which was given to those Laotians who were not involved in the fighting. Mr. de Haan argued these people were not refugees and if they were to get payments they should get them under the military aid

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program and not under economic aid. When I asked de Haan what types of people he considered as "refugees" he said everyone except the guerrillas and their dependents. I said in my opinion he was describing civilians rather than refugees and this definition made it even more plain that their position amounted to discrimination against those people who were doing the actual fighting in Laos.

4. Mr. de Haan said the program in Laos should be run the same way it is run in Vietnam, i.e., benefits paid to military personnel paid under the military aid program (openly, not under some type of cover). Using the Szulc column as a frame of reference I said I could not understand the reaction attributed to Senator Kennedy to the arrangement which was worked out because of the objections expressed last year. Mr. de Haan argued that this problem went back to 1962 when certain abuses were involved in the AID program and they had been given assurances by AID the abuses would be corrected and they had not been.

5. It was clear neither of us was going to convince the other of his position but de Haan said he would be glad to leave a copy of Senator Kennedy's press release at the Subcommittee reception desk where we could pick it up. He also said he would be glad to sit down with us and talk the matter over if we had any further questions.

STATINTL



Deputy Legislative Counsel

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